



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Thomas MARKSON, et al., :
 :
Serial No.: 09/885,290 : Group Art Unit: 2153
 :
Filed: June 19, 2001 : Examiner: Not Yet Assigned
 :
For: VIRTUAL STORAGE LAYER APPROACH :
FOR DYNAMICALLY ASSOCIATING :
COMPUTER STORAGE WITH :
PROCESSING HOSTS :

PETITION FOR REVIVAL – UNINTENTIONAL ABANDONMENT OF
APPLICATION (37 CFR 1.137(b))

Attention: Office of Petitions
Assistant Commissioner of Patents
BOX DAC
Washington, D.C. 20231

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Sir:

The above-identified application became abandoned, unintentionally, under 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely file a Request to Rescind Previous Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(ii).

Applicant respectfully petitions for revival of the above-identified application. This petition is grantable for the following reasons.

1. **Summary of Procedural History.** This application was filed on June 19, 2001. A non-publication request under 35 U.S.C. 122(b)(2)(B)(ii) was filed together with this application on June 19, 2001. On June 20, 2001, the applicant's assignee foreign filed

this application by filing a corresponding PCT application and Taiwan application. The applicant or assignee did not file a Request to Rescind Previous Nonpublication Request within 45 days of the date of filing of the foreign applications. The abandonment date of this application is August 5, 2001 (i.e., the day after expiration of the statutory period set to file the Request to Rescind Previous Nonpublication Request).

2. **Petition Fee.** As required by 37 CFR 1.137(b)(2), the petition fee of \$620.00 as specified in 37 CFR 1.17(m), in the form of a law firm check, is submitted herewith. The applicant qualifies as a small entity.

3. **Required Reply.** As required by 37 CFR 1.137(b)(1), a Request to Rescind Previous Nonpublication Request accompanies this petition.

4. **Statement.** As required by 37 CFR 1.137(b)(3), applicant hereby states that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

5. **Terminal Disclaimer.** This petition is submitted in an application filed after June 8, 1995. Accordingly, under 37 CFR 1.137(b)(4) and (d), no terminal disclaimer is required.

The Office is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the consideration of this petition.

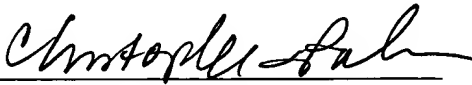
Please charge any shortages or credit any overages in fees to our Deposit Account

No. 50-1302.

Respectfully Submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

September 27, 2001



Christopher J. Palermo
Reg. No. 42,056

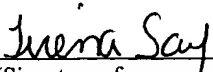
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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Office of Petitions, Commissioner for Patents, Box DAC, Washington, D.C. 20231.

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